

**COUNTY OF SAN LUIS OBISPO BOARD OF SUPERVISORS
AGENDA ITEM TRANSMITTAL**

(1) DEPARTMENT Planning and Building	(2) MEETING DATE 5/24/2016	(3) CONTACT/PHONE Terry Wahler, Project Manager / (805) 781-5621	
(4) SUBJECT Submittal of three resolutions to rescind existing Land Conservation Contracts and approve new Land Conservation Contracts, two for the Garcia Trust (AGP2014-00009) and (AGP2014-00010); and one for Faron Bento (AGP2014-00011); all located on Toro Creek Road northeast of the City of Morro Bay; pursuant to the California Land Conservation Act of 1965; exempt from the California Environmental Quality Act. District 2.			
(5) RECOMMENDED ACTION It is recommended that the Board adopt and instruct the chairperson to sign all resolutions approving land conservation contracts and direct the Clerk to record all resolutions and contracts.			
(6) FUNDING SOURCE(S) Application fees	(7) CURRENT YEAR FINANCIAL IMPACT \$0.00	(8) ANNUAL FINANCIAL IMPACT \$0.00	(9) BUDGETED? Yes
(10) AGENDA PLACEMENT <input checked="" type="checkbox"/> Consent <input type="checkbox"/> Presentation <input type="checkbox"/> Hearing (Time Est. ____) <input type="checkbox"/> Board Business (Time Est. ____)			
(11) EXECUTED DOCUMENTS <input checked="" type="checkbox"/> Resolutions <input checked="" type="checkbox"/> Contracts <input type="checkbox"/> Ordinances <input type="checkbox"/> N/A			
(12) OUTLINE AGREEMENT REQUISITION NUMBER (OAR) N/A		(13) BUDGET ADJUSTMENT REQUIRED? BAR ID Number: <input type="checkbox"/> 4/5 Vote Required <input checked="" type="checkbox"/> N/A	
(14) LOCATION MAP Attached	(15) BUSINESS IMPACT STATEMENT? No	(16) AGENDA ITEM HISTORY <input checked="" type="checkbox"/> N/A Date: _____	
(17) ADMINISTRATIVE OFFICE REVIEW Lisa M. Howe			
(18) SUPERVISOR DISTRICT(S) District 2			

County of San Luis Obispo



TO: Board of Supervisors

FROM: Planning and Building / Terry Wahler, Project Manager

VIA Ellen Carroll, Planning Manager/Environmental Coordinator

DATE: 5/24/2016

SUBJECT: Submittal of three resolutions to rescind existing Land Conservation Contracts and approve new Land Conservation Contracts, two for the Garcia Trust (AGP2014-00009) and (AGP2014-00010); and one for Faron Bento (AGP2014-00011); all located on Toro Creek Road northeast of the City of Morro Bay; pursuant to the California Land Conservation Act of 1965; exempt from the California Environmental Quality Act. District 2.

RECOMMENDATION

It is recommended that the Board adopt and instruct the chairperson to sign all resolutions approving land conservation contracts and direct the Clerk to record all resolutions and contracts.

DISCUSSION

The objectives of the San Luis Obispo County Agricultural Preserve Program, as provided by the California Land Conservation Act of 1965 or Williamson Act, are to protect agricultural lands for continued production of food and fiber and limited types of land devoted to open-space and recreational uses.

An agricultural preserve is established by landowner request in an area devoted to an agricultural use, recreational use, and/or an open-space use as defined in and established in accordance with the California Land Conservation Act of 1965. Establishment of an agricultural preserve is a prerequisite for landowners to enter into land conservation contracts with the county. A land conservation contract is a contract entered into by and between the property owner and lien holders (if any) and the county to enforceably restrict the use of the land for agricultural and compatible uses for a minimum term of 10 years or more.

The following are brief descriptions of each applicant's request.

- A. File Number: AGP2014-00009 - Proposal by the Garcia Trust to rescind an existing Land Conservation Contract and enter into a new Land Conservation Contract to reflect revised property boundaries from a lot line adjustment. The property consists of approximately 320 acres located within the Agriculture land use category, at 1749 Toro Creek Road, approximately 2.5 miles northeast of the City of Morro Bay. The site is in the Adelaida Sub-area of the North County planning area. Assessor Parcel Numbers: 046-201-009 and a portion of 073-092-048; Supervisorial District No. 2
- B. File Number: AGP2014-00010 - Proposal by the Garcia Trust to rescind an existing Land Conservation Contract and enter into a new Land Conservation Contract to reflect revised property boundaries from a lot line adjustment. The property consists of approximately 138.5 acres located within the Agriculture land use category, at 1710 Toro Creek Road approximately 2.5 miles northeast of the City of Morro Bay. The site is in the Adelaida Sub-area of the North County planning area. Assessor Parcel Numbers: 073-092-026 and a portion of 073-092-048; Supervisorial District No. 2

C. File Number: AGP2014-00011 - Proposal by Faron Bento to rescind an existing Land Conservation Contract and enter into a new Land Conservation Contract. The property consists of approximately 40.5 acres located within the Agriculture land use category, at 1750 Toro Creek Road approximately 2.5 miles northeast of the City of Morro Bay. The site is in the Adelaida Sub-area of the North County planning area. Assessor Parcel Number: 073-092-049; Supervisorial District No. 2

OTHER AGENCY INVOLVEMENT

The agricultural preserve associated with these contracts was established in 1978 and amended by the Board of Supervisors at public hearings in 2015. The Agricultural Preserve Review Committee also reviewed all three requests and recommended approval. The Agricultural Preserve Review Committee includes representatives from the Agricultural Liaison Committee, the Assessor's Office, the Agriculture Department, the Department of Planning and Building and the Farm Advisor's Office. County Counsel reviewed and approved the resolutions and contracts as to form and legal effect.

FINANCIAL CONSIDERATIONS

Approval of land conservation contracts usually results in a significant reduction in county tax revenues received from the affected properties. Revenue losses have been in past years only partly compensated by state subventions but no subventions have been received since 2008/2009. However, the overall tax impacts should be considered on a program-wide basis rather than on an individual application basis.

The Assessor's Office has provided preliminary estimates of potential reductions in assessment values for the three properties being considered today. Since all three properties are already under contract except for 4.5 acres added through lot line adjustment, the Assessor's staff concluded that there will be an approximately \$50.00 reduction in assessment values for the properties being considered today.

RESULTS

The approval and recording of the land conservation contracts will keep the subject properties in agricultural and compatible uses for a term of 10 years, which by the provisions in the contract renews annually to maintain the 10 year term. This is consistent with the countywide Vision Statement & Communitywide Results of having healthy and prosperous communities.

ATTACHMENTS

Copies of signed resolutions and executed land conservation contracts are listed below and presented as attachments, each with an "Exhibit A" showing the property, the agricultural preserve and vicinity map for each property.

- Attachment A1 - Resolution – Garcia Trust - AGP2014-00009
- Attachment A2 - Land Conservation Contract with "Exhibit A" Agricultural Preserve and Vicinity Map
- Attachment B1 – Resolution - Garcia Trust - AGP2014-00010
- Attachment B2 – Land Conservation Contract with "Exhibit A" Agricultural Preserve and Vicinity Map
- Attachment C1 – Resolution – Faron Bento - AGP2014-00011
- Attachment C2 – Land Conservation Contract with "Exhibit A" Agricultural Preserve and Vicinity Map